

REMARKS

This amendment is in response to the Office Action mailed August 12, 2005. In this amendment, claims 1, 9, 11, 16, 17, 20, 21, 29, 30, and 37 are amended. After entry of this amendment, claims 1-43 are pending. No new matter has been added. Claim 9 was deemed to contain allowable subject matter.

Applicants note that the Form PTO-1449 filed on September 23, 2002 with the Supplemental Information Disclosure Statement has not been initialed and returned with the Office Action. Applicants kindly request the initialed form be returned indicating that the references cited therein have been considered.

Rejections Under 35 USC 102 and 103

Claims 1-8 and 10

Claims 1, 2 and 4 were rejected as obvious over CA 2,387,386 to Akiyama in view of US 2005/0138656 to Moore. Claim 3 was rejected as being obvious over Akiyama, in view of Moore and further in view of US 6,088,722 to Herz. Claims 5-8 and 10 were rejected as obvious over Akiyama, in view of Moore and further in view of US 2002/0063714 to Haas.

Independent claim 1 recites that the advertising data comprises "an executable instruction set for rendering an animated video replacement advertising segment by a client processor," and then rendering "the replacement advertising segment by executing the executable instruction set." Akiyama and Moore fail to disclose or suggest these features of claim 1.

Akiyama discloses selecting and providing replacement advertising segments by capturing transmitted video broadcast signals of commercials, storing the commercials on a local hard disk memory, and then playing back on a display a selected commercial during the interval of a program break. (See Akiyama, at pages 11-12). The rejection relies on Fig. 6 of Akiyama as disclosing the above noted features of claim 1. However, Akiyama discloses that the commercials are received from standard broadcast signals and stored for later playback via a signal decoder. Akiyama fails to disclose receiving

executable instructions sets from which a commercial may be rendered. Instead, Akiyama advocates receiving the commercial itself directly from the broadcast signal. In other words, the claimed techniques receive an executable instruction set that is later executed on a processor to locally render replacement advertising segments. Accordingly, the present claims define techniques with the flexibility to provide customized, personalized, and interactive advertising enhancements, rather than limiting advertising to pre-generated generic and non-specific content sent to every household in the same broadcast signal.

Moore fails to teach or suggest that the displayed animation is rendered from executable instruction sets. Rather, Moore merely teaches that the advertisement may be an animation, such as a cartoon animation, as shown in Fig. 35A. Moore fails to teach or suggest that such animations are locally generated from received executable instruction sets, as recited by claim 1.

Accordingly, the combination of Akiyama and Moore fails to teach or suggest all the elements of claim 1. Therefore, the rejection of claim 1 should be withdrawn. Likewise, the rejections of dependent claims 2-8 and 10, which depend from claim 1 should also be withdrawn.

Claims 11-20

Claims 11-12, 14, 16, 19 and 20 were rejected as being anticipated by CA 2,387,386 to Akiyama. Claim 13 was rejected as being obvious over Akiyama in view of US 6,088,722 to Herz. Claim 15 was rejected as being obvious over Akiyama in view of US 6,728,713 to Beach. Claim 17 was rejected as being obvious over Akiyama in view of US 2002/0063714 to Haas. Claim 18 was rejected as being obvious over Akiyama in view of US 2005/0097599 to Plotnick.

Independent claim 11 recites "receiving executable instruction sets for generating the selected replacement segments, and rendering on a local processor the selected replacement segment by executing the executable instructions sets." Akiyama fails to disclose or suggest this feature of claim 11.

Akiyama discloses selecting and providing replacement advertising segments by capturing transmitted video broadcast signals of commercials, storing the commercials on a local hard disk memory, and then playing back on a display a selected commercial during the interval of a program break. (See Akiyama, at pages 11-12). The rejection relies on Fig. 6 of Akiyama as disclosing the above noted features of claim 11. However, Akiyama discloses that the commercials are received from standard broadcast signals and stored for later playback via a signal decoder. Akiyama fails to disclose receiving executable instructions sets from which a commercial may be rendered. Instead, Akiyama advocates receiving the commercial itself directly from the broadcast signal. In other words, the claimed techniques receive an executable instruction set that is later executed on a processor to locally render replacement advertising segments. Accordingly, the present claims define techniques with the flexibility to provide customized, personalized, and interactive advertising enhancements, rather than limiting advertising to pre-generated generic and non-specific content sent to every household in the same broadcast signal. Therefore, claim 11 is not anticipated by Akiyama and the rejection should be withdrawn. Likewise, the rejections of dependent claims 12-20, which depend from claim 11, should also be withdrawn.

Claims 21-43

Claims 21, 25, 27-28, 37 and 40-42 were rejected as being anticipated by WO 98/48566 to Mankowitz. Claim 22 was rejected as being obvious over Mankowitz in view of US 6,357,042 to Srinivasan. Claim 24 was rejected as being obvious over Mankowitz in view of US 5,774,664 to Hidary. Claims 26 and 39 were rejected as being obvious over Mankowitz in view of Akiyama. Claims 29 and 35 were rejected as being obvious over Mankowitz in view of US 6,832,084 to Deo. Claim 30 was rejected as being obvious over Mankowitz in view of Deo, and further in view of US 2002/0184237 to McFeely. Claim 31 was rejected as being obvious over Mankowitz in view of Deo, and further in view of US 6,122,011 to Dias. Claim 32 was rejected as being obvious over Mankowitz in view of Deo, and further in view of US 6,738,808 to Zellner. Claim 33 was rejected as being obvious over Mankowitz in view of Deo and Zellner, and further in view of US 6,829,711

to Kwok. Claim 34 was rejected as being obvious over Mankowitz in view of Deo, Zellner and Kwok, and further in view of US 2003/0093353 to Ward. Claim 36 was rejected as being obvious over Mankowitz in view of Kwok. Claim 38 was rejected as being obvious over Mankowitz in view of US 2003/0016673 to Pendakur. Claim 43 was rejected as being obvious over Mankowitz in view of US 6,437,836 to Huang.

Independent claim 21 recites "receiving supplemental informational data comprising an executable instruction set from a first memory storage" and "rendering on a client processor supplemental animated video content images by executing the executable instruction set" where the supplemental animated video content images are overlaying portions of the television program. Mankovitz fails to disclose these limitations.

Mankovitz discloses the display of non-animated textual information from a website with information related to the then broadcast program. Mankovitz displays this information not overlaying the broadcast program, but in a separate window on the display separated from the broadcast program. Mankovitz discloses the display of textual information, but does not disclose animated video content images that are rendered from executable instructions sets. Accordingly, Mankovitz fails to teach several features recited in claim 21. Therefore, Mankovitz fails to anticipate claim 21 and the rejection should be withdrawn. Like wise, the rejections on dependent claims 22-36 should be withdrawn as those claims depend from claim 21.

Independent claim 37 recites "a processor capable of rendering photo-realistic animated video images by executing the executable instruction sets in the supplemental content data." Mankovitz fails to disclose a processor capable of rendering animated video from executable instructions sets.

Mankovitz discloses the display of non-animated textual information from a website with information related to the then broadcast program being displayed on a separate portion of the display. Mankovitz discloses a video processor to enable PIP video displays. With that system, Mankovitz discloses the display of textual information, but does not disclose that the disclosed video processor is capable to render photo-realistic

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Amendment filed February 13, 2006
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animated video images that are rendered from executable instructions sets. Accordingly, Mankovitz fails to teach several features recited in claim 37. Therefore, Mankovitz fails to anticipate claim 37 and the rejection should be withdrawn. Like wise, the rejections on dependent claims 38-43 should be withdrawn as those claims depend from claim 37.

Conclusion

For the above reasons, the rejection of claims 1-8 and 10-43 should be withdrawn. A timely notification of allowance is requested. The Examiner is kindly requested to call the undersigned to assist expediting the allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marc V. Richards', written over a horizontal line.

Marc V. Richards
Registration No. 37,921
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200